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DATE FILED: 1-11-07

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**THE GUARDIAN LIFE INSURANCE COMPANY
OF AMERICA,**

Plaintiff,

- against -

**JOHN DOES 1-10 d/b/a PARK AVENUE
INTERNATIONAL, INC. d/b/a WEBSTER
ACQUISITIONS & STEPHEN LARSON,**

Defendants.

05 Civ. 6606 (RCC) (AJP)

**ORDER ACCEPTING
AND ADOPTING
REPORT AND
RECOMMENDATION**

RICHARD CONWAY CASEY, United States District Judge:

Plaintiff The Guardian Life Insurance Company of America ("Guardian") moved this Court for default judgment against defendants John Does 1-10 d/b/a Park Avenue International, Inc. d/b/a Webster Acquisitions and Stephen Larson ("Defendants"). By Report and Recommendation dated October 23, 2006 (the "Report"), Magistrate Judge Andrew J. Peck recommended that Guardian's motion be granted, and that judgment be awarded for attorney's fees and costs in the amount of \$69,147.71. In conformity with 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure, Judge Peck explicitly cautioned that any objections to the Report were to be received within 10 days, and that failure to file timely objections to the Report would constitute a waiver of any objections.

As of the date of this Order, the Court has not received any objections to the Report. A court may adopt those portions of a magistrate judge's report and recommendation that are not the product of clear error and to which the parties do not object. Pizzaro v. Bartlett, 776 F. Supp. 815, 817 (S.D.N.Y. 1991); see also 28 U.S.C. § 636(b)(1). Having carefully reviewed the file in this matter,

the Court is satisfied that there is no clear error on the face of the Report. Accordingly, the Court accepts and adopts the Report in its entirety. The Clerk of the Court is directed to close the case and to remove it for the Court's active docket.

So Ordered: New York, New York
January 11, 2006

A handwritten signature in black ink, appearing to read "Richard Conway Casey".

Richard Conway Casey, U.S.D.J.